IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN INSOLVENCY

NOTICE OF MOTION NO.69 OF 2006
IN
INSOLVENCY NOTICE NO.N/166 OF 2005

Re : Mr.Laxmikant R. Bhojwani & Anr. ...Jt.Debtors.
Ex-parte:
Kishori N. Ragoowansi. ...Jt. Creditor.

....

Ms.Kamlesh Rajwani for the Judgment Debtors.
Mr.Jay K. Bhatia for the Judgment Creditor.

.....

CORAM : DR.D.Y.CHANDRACHUD, J.

DECEMBER 19, 2006.

P.C.

The Motion has been taken out for setting aside the Insolvency Notice. At the hearing of the Notice of Motion, Counsel appearing on behalf of Judgment Debtor No.1 has placed on record an order dated 7th December 2004 passed by the Learned Single Judge of this Court in Insolvency Petition 76 of 2002 by which the aforesaid Judgment Debtor has already been adjudicated as an insolvent. Counsel appearing on behalf of Judgment Debtor No.1 states that the order of adjudication continues to hold the field. In that view of the matter, since Judgment Debtor No.1 has already been adjudicated as an insolvent, Counsel appearing on behalf of the Judgment Creditor

states that the Insolvency Notice, in fact, would not survive and the Notice of Motion may be made absolute in terms of prayer clause (a).

The Notice of Motion is made absolute in terms of prayers clause (a).

....